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1653

Docket No.: SOL.003.P
Express Mail No.: ET884750864US

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RESPONSE TO RESTRICTION REQUIREMENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

Applicant: David A. Schwartz
Application No.: 09/815,978
Filed: 22 March 2001
Group: 1653
Examiner: J.E. Russel

SEP 16 2002

TECH CENTER 1600/2900

Title: "HYDRAZINE-BASED AND CARBONYL-BASED BIFUNCTIONAL
CROSSLINKING REAGENTS"

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The following is Applicants response to the restriction requirement mailed August 26, 2002, (Paper No. 9).

RESTRICTION REQUIREMENT

The PTO has requested restriction of Applicants' claims to one of the following inventions:

- I. Claims 1-4, 22-31, 34 and 40-44, drawn to compounds and their methods of use, classified in class 548, subclass 536;
- II. Claims 5-7, 32, 35, 38, 49 and 52, drawn to compounds and their methods of use, classified in class 560, subclass 169;
- III. Claims 8, 9, 33, 36, 37, 39, 45 and 52, drawn to compounds and their methods of use, classified in class 564, subclass 123;
- IV. Claims 10-13, 46, 51 and 53, drawn to compounds and their methods of use, classified in class 546, subclass 298;
- V. Claims 14-16 drawn to compounds and their methods of use, classified in class 546, subclass 306;
- VI. Claims 17 and 18 drawn to compounds and their methods of use, classified in class 564, subclass 256;

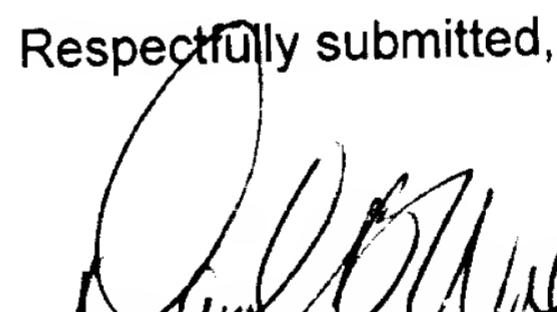
- VII. Claims 19, 20 and 47, drawn to compounds and their methods of use, classified in class 546, subclass 306; and
- VIII. Claims 21 and 48, drawn to compounds and their methods of use, classified in class 564, subclass 256.

In response to this Restriction Requirement, Applicant provisionally elects Group I Claims 1-4, 22-31, 34 and 40-44 with traverse. Although the PTO has restricted the claims into eight patentably distinct inventions, Groups I and II contain overlapping subject matter. The claims of Groups I and II are directed to hydrazine and hydrazone compounds and their methods of use. Accordingly, a proper search of the Group I claims would necessarily reveal references relating to claims of Group II.

M.P.E.P. § 803 states, in part, that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." For the reasons discussed above, it is believed that a search of these two claim groups would not fall within the definition of "serious burden" set forth in M.P.E.G. § 803.

Accordingly, Applicant respectfully requests that Groups I and II be joined and examined concurrently.

Respectfully submitted,



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Patent Agent No.: 43,978

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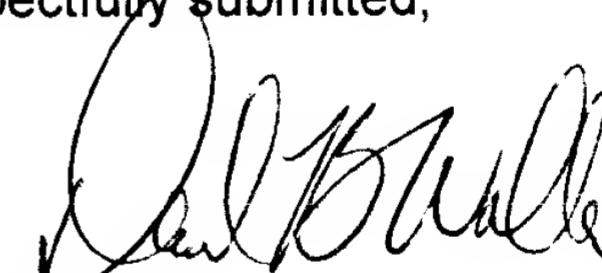
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Assistant Commissioner for Patents
Washington, D.C. 20231

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Respectfully submitted,



David B. Waller
Patent Agent No.: 43,978

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